REMARKS

Claims 1-7 are pending.

Claims 1-7 are rejected.

Claim 1 is amended for language and to correct the plurality of terms such as network information table (NIT) and service description table (SDT). Also, Claim 1 is amended for the antecedent basis problems addressed in the office action. Claim 6 is amended in a similar manner as Claim 1.

Claims 2-6 are amended to change "Method" to "The method".

Claim 7 is amended to recast the claim as a computer code claim embodiment of a computer readable medium, as to comport with the claim format commonly associated with a Beauregard claim as decided in the cases of In re Beauregard (1995) where such a claim was found to be patentable under 35 U.S.C. 101.

No new matter was added in view of these amendments.

Rejection of Claim 1 under 35 U.S.C. 112, second paragraph

The Examiner rejected Claim 1, under 35 U.S.C. 112, second paragraph as lacking a proper antecedent basis. As amended, Claim 1 should have such problems corrected, and this rejection should be reversed.

Rejection of Claim 7 under 35 U.S.C. 101

The Examiner rejected Claim 7, under 35 U.S.C. 101 as being unpatentable subject matter under 35 U.S.C. 101. As amended, applicants have drafted Claim 7 as a Beauregard claim. In addition, the subject matter of the claim is not a mere an abstract idea but would represent the data that is used to create a descriptor for a DVB stream.

This descriptor is a tangible form of data which is embodied on a computer readable medium.

In view of the explanation given above, Claim 7 should be patentable over the cited rejection.

Rejection of Claims 1, 2, 5, and 6 under 35 U.S.C. 103(a)

The Examiner rejected Claim 1, 2, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cao (U.S. Patent Publication No. 2003/0187161A1). Applicants disagree with this ground of rejection.

The Office Action recites that US 2004/0187161, herein after Cao, discloses the steps of claim 1 with the exception of the last step of "the terminal uses information comprised in the Networks Information Table and in the Service Description Table to construct a possibly unitary list of the services available on the network". However, the Applicants submit that other steps of the invention as claimed by claim 1 are also not disclosed by Cao. The Office Action cites paragraph 46 lines 10-13 of Cao and paragraph 47 lines 12-13. However, in no way, Cao describes, or even suggests, that a NIT is extracted from a transport stream that is transmitted to an IP address, as is claimed by the second step of claim 1. Furthermore, in no way Cao describes that the SDT is read from transport streams transmitted to said second IP transmission addresses on said second ports as claimed by the third step of claim 1. Rather, according to Cao, paragraph 47 lines 1-2, a NIT is "encapsulated in a UDP (User Datagram Protocol) packet" and not, as is claimed by claim 1, extracted from a transport stream that is transmitted to an IP address. The invention as claimed by Claim 1 is concerned about solving the problem of how, when transmitting DVB services over IP, to allow reuse of existing transmission infrastructure for transmitting DVB services; and thus keeping the traditional transmission of NIT and SDT in a transport stream. Cao however is concerned about solving the problem of how to identify programs in a digital video communication system in a cable transmission environment where different encryption techniques are used.

At least the above mentioned features of the invention as claimed by claim 1 that are not disclosed by Cao are also not disclosed by US 2001/0021996 (Crocitti). In no way, Crocitti describes or even suggests that information is extracted from a transport stream that is transmitted on an IP address.

At least the above mentioned features of the invention as claimed by claim 1 that are not disclosed by Cao and Crocitti are also not disclosed by US 2003/0233451 (Ludvig). Ludvig merely describes implementations that provide for referencing locally and remotely deployed resources in a television-based entertainment system and is rather far from the invention.

At least the above mentioned features that are not disclosed by Cao, Crocitti and Ludvig, are also not described by US 7,386,879 (Van Willigen). Van Willigen merely describes a broadcast network in which authorization and authentication for multiple services is possible. Van Willigen is rather far from the invention.

At least the above mentioned features that are not disclosed by Cao, Crocitti, Ludvig and Van Willigen, are also not described by US 7,013,322 (Lahr). Lahr describes an efficient content delivery in a network that employs a system and a method for intercepting a media resource request metafile client request, or a response to the media resource metafile request by a media server in the network, and intelligently rewriting the response before sending it back to the requesting client. Lahr is rather far from the invention.

Thus, none of the documents cited by the Office Action disclose or even suggest at least the mentioned features. Therefore the Applicants submit that the invention as claimed by claim 1 is new with regard to any of the documents cited by the Office Action. Neither does the combination of the documents cited by the Office Action disclose or suggest at least the mentioned features.

Thus, the skilled in the art would not implement a method of discovery as claimed by claim 1. Therefore, the Applicants submit that claim 1 is in condition for allowance. Additionally, claims 2, 5, and 6 are patentable as such claims depend on allowable claim 1.

Rejection of Claim 3 under 35 U.S.C. 103(a)

The Examiner rejected Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cao (U.S. Patent Publication No. 2003/0187161A1) in view of Van Willingen (U.S. Patent 7,386,879). Applicants assert that Claim 3 is patentable as such a claim depends on allowable Claim 1.

Rejection of Claim 4 under 35 U.S.C. 103(a)

The Examiner rejected Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cao (U.S. Patent Publication No. 2003/0187161A1) in view of Ludvig et al. (U.S. Patent No. 2003/0233451). Applicants disagree with this ground of rejection as Claim 4 depends on allowable Claim 1.

Rejection of Claim 7 under 35 U.S.C. 103(a)

The Examiner rejected Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cao (U.S. Patent Publication No. 2003/0187161A1) in view of Lahr et al. (U.S. Patent No. 7013322). Applicants disagree with this ground of rejection.

Aside for the arguments made in connection for Claim 1 in view of the Cao reference, the Examiner does not completely consider the teachings of the combination of both Cao and Lahr. Specifically, the Examiner cites to Lahr as teaching the claimed, "a second segment of code representing an Internet Protocol (IP) transmission address of a stream server and a port number on which said server transmits a DVB stream over

an IP network" as being disclosed in Lahr on col. 11, lines 38-39. Hence, the Examiner combines the NIT from Cao with this citation of Lahr, to anticipate the claimed features of the Applicants' invention. This combination however has the following problems.

An NIT, as construed by Cao, would not include that extra incorporation of information such as, "a customer's name, and account information, the stream name to be published (i.e., distributed) and the IP address and port of the encoder" used to transmit such a stream as in Lahr, as the information requirement to transmit all of this data would frustrate the purpose of using the NIT table described in Cao, as to make the use of such a table not necessary. Hence, the Applicants do not agree with the Examiner that one of the ordinary skill in the art would combine Cao and Lahr to anticipate the claimed features of Claim 7.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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